THE HON'BLE Dr. JUSTICE G. YETHIRAJULU

W.P.No.16522 of 1994

22nd September, 2005

Between:

M. Veerama Naidu, s/o. late Atchim Naidu,

Aged 44 years, Occ: Producers in S.I.E.T.,

ETV studies, Ramanthapur, Hyderabad,

and 5 others

….. **Petitioners**

and

Government of Andhra Pradesh,

represented by its Secretary, Education Department,

Secretariat, Hyderabad and another.

….. **Respondents**

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ORDER:

The petitioners approached this Court through this writ petition seeking to declare the action of the respondents in not extending similar scales of pay which were extended to the Assistant Engineers, though the scales of pay of Assistant Engineers and the petitioners in the posts of Producers were equal prior to the Pay Revision of 1986.

The petitioners contend that they were appointed in the post of "Producers" in the year 1985 in the second respondent-organization. During that period, the pay scales of the petitioners and the pay scales of the Assistant Engineers were equal, whereas the Pay Revision Commission of the year 1986 recommended for higher scale of pay to the Assistant Engineers and lesser scale of pay to the petitioners. Though the petitioners made representations to correct the anomaly, their objections were rejected. Therefore, they approached this Court through this writ petition for the relief as mentioned above.

The learned counsel for the petitioners submitted that the Producers who are working in similar organizations of other States are getting equal pay to the pay of Assistant Engineers, whereas in the State of Andhra Pradesh discrimination has been shown by not maintaining the parity between the scales of pay of the Producers and the Assistant Engineers. Therefore, it amounts to violation of the right guaranteed under Article 226 of the Constitution of India.

The petitioners are the employees of the Government of Andhra Pradesh. They are under the control of the Government of Andhra Pradesh and they are governed by the pay scales fixed by the Government of Andhra Pradesh from time to time as per the recommendations of the Pay Revision Commission. If there is any disparity in the scales of pay, it has to be corrected by the Anomaly Commission or the

Government, but that cannot be corrected through any other direction from a Court of Law. Since some employees working in similar organizations of other States are governed by the rules and regulations of the respective States and the recommendations of the Pay Revision Commissions of the respective States, the petitioners are not entitled to claim that they are also entitled to get equal pay on par with the Producers working in other States.

In the light of the above circumstances, I do not find any ground to invoke the extraordinary jurisdiction under Article 226 of the Constitution of India to grant any relief to the petitioners.

The writ petition is accordingly dismissed. No order as to costs.

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Dr.G. YETHIRAJULU, J

Date: 22nd September, 2005

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